

Notice of Allowability

Application No.

09/921,460

Examiner

Melvin H. Pollack

Applicant(s)

HONG ET AL.

Art Unit

2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 31 October 2005.
2. ☒ The allowed claim(s) is/are 1-14, 16-27 and 29-56.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 9/26/05, 11/04/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other see attached office action.


JASON CARDONE^{MHP}

SUPERVISORY PATENT EXAMINER

DETAILED ACTION

New Examiner

1. This case has been transferred to a new examiner, who will give full faith and consideration to the original search as disclosed in the MPEP. The new examiner's contact information is indicated in the conclusion section of this action.

Allowable Subject Matter

2. Claims 1-14, 16-27, and 29-56 are allowed.

3. The following is an examiner's statement of reasons for allowance: the examiner maintains the previous indications regarding the allowability of claim limitations, and further agrees with the applicant's remarks regarding the allowability of the claims as currently amended.

4. For claims 1, 11, 25, 32, 45 and 54, the server generates a tag in response to a transaction, said tag to be transmitted and stored on the client, and to further be transmitted with every subsequent transactions, for the purpose of switching transaction requests among a plurality of servers such that the client subsequently returns to the same server. While many techniques for switching transaction requests among a plurality of servers are well known in the art (QoS, Load balancing, etc.), they teach away from the combination of switching based on user identity and on ensuring that users return to the same server. Further, many of the above describe that the tag includes generated cookies and further includes information regarding prior transactions, which is also not expressly taught in the found art. Therefore, the combination is novel and non-obvious.

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5. For claims 36 and 42, an information or cache server tracks information request frequencies for the purpose of determining which information should be retrieved prior to subsequent transaction requests and therefore placed in more accessible memory areas. The frequency is determined by tracking information requests by hot reference counters. The examiner had determined that this combination of limitations is novel and non-obvious in light of the found art.

6. All other claims are dependant on at least one of the above claims, and therefore is also allowable for the reasons above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. They regard further background on load balance and cache server methods.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melvin H. Pollack whose telephone number is (571) 272-3887. The examiner can normally be reached on 8:00-4:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MHP

24 January 2006



JASON CARDONE
SUPERVISORY PATENT EXAMINER